



EXPRESS MAIL NO.: 19322144US

Howrey Docket No. 05693.0004.NPUS00

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4/23/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Darrel Drinan et al.

Serial No. 10/068,170

Filed: **February 4, 2002**

For: **AGENT DELIVERY AND
ASPIRATION DEVICE**

Group Art: 2121

Examiner: Mark A. Rademacher

Confirmation No. 8076

Response to Restriction Requirement

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

APR 14 2003

Technology Center 2100

Dear Sir:

In response to the Office Action dated February 12, 2003, Applicant hereby provisionally elects Group III, which includes claims 28-37 and 51-61. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicant asserts the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). This election is made **without traverse**. Consideration and allowance of all pending claims, are respectfully requested.

Enclosed with this response is a petition for a one-month extension of time including authorization for the prescribed fee. If any other fees are due with this response, please charge the same to our Deposit Account No. 08-3038, referencing Howrey Docket No. 05693.0004.NPUS00.

Respectfully submitted,

Date: April 9, 2003


Albert P. Halluin, Reg. No. 25,227

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